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ABSTRACT

In presenting a forecast of the emergence of the police profession using a sociological approach based on societal processes and relations, both the discussion of professionalization of the police in the bourgeois literature and a more general discussion of the professions by Talcott Parsons, taken as the foremost structural-functional theorist of the professions, are considered. An inherent contradiction was found in the characterization of professional police in these terms, and a reconsideration of the professions and the police is necessary. The concept of reproductive activity is suggested which is substantively understood as the process of reproducing the social order, especially the working class. This activity is the activity of the professional and of the police. The exercise of control over this activity renders the professionalization of the police impossible. (Author/EC)

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THE PROFESSIONS, THE POLICE, AND THE FUTURE

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The Professions, the Police and the Future*

We consider the future of the police in this essay, particularly the likelihood of its emergence as a profession. How does one make forecasts of a phenomenon of this complexity? Rizkalla had identified three main approaches to the study of the police. There is the subjective approach, where attitudes or opinions of elites or the public provide the data for a forecast. There is the legal or juridical approach. Finally there is the sociological approach, where social structural considerations are the data for the forecast.(1)

It is clear that the subjective approach utilizes surrogates of the societal processes, substituting opinions of measures for measures of phenomena, etc.(2) and thus is dervative of more basic social processes. Likewise the juridical approach utilizes objectivizations of societal relations and is also dervative. These considerations suggest we look to societal processes and relations first in our study of the future of the police (CW 25:281).

We begin by treating the discussion of professionalization of the police in the bourgeois literature, and the more general discussion of the professions by Talcott Parsons, taken as the foremost structural-functional theorist of the professions.

After characterizing the possibility of a professional police in bourgeois terms, we criticize this characterization as reflecting inherent contradictions. This suggests that a reconsideration of the professions and the police is required. We develop the concept of reproductive activity which is substantively understood as the process of reproducing the social order and especially the working class. This activity, it will be argued, is the activity of the professional and of the police, but the exercise of control over this activity renders the professionalization of the police impossible.

The Bourgeois Theory of Professions

Many writers have called for the higher education of police officers. Moynahan, for instance, states

> for the law enforcement officer to be an effective force in our changing social and technological world, he must undergo training in our colleges and universities(3)

Gorman et al have noted that this has not been the case in the past, and that this "has led to a shortage of professionally trained leaders."(4) Hence there is one argument for a professional police and another closely related but quite distinct argument for a professional police administration. While most of the discussions present higher education as a virtual panacea, some of the more astute observers recognize that professionalism must be addressed in its own right, whatever the case to be made for education per se.(5)

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*In this essay we parenthetically cite Karl Marx and F. Engels Werke Berlin: Dietz (1956 - 1968) as MEW and V. I. Lenin Collected Works Moscow: Progress Publishers (1963 - 1970) as CW, followed in each instance by the appropriate volume and page numbers. We likewise parenthetically cite Talcott Parsons Essays in Sociological Theory New York: Free Press (1954) as E followed by the appropriate page number. All other references appear at the end of the essay.

As Skolnick has put it,

> if professionalism is ever to resolve some of the strains between order and legality, it must be a professionalism based upon a deeper set of values than currently prevails in police literature..."(6)

Education per se can lead to mere technical virtuosity; we take professionalization to mean more than this. Let us turn then to the characterization of the professions in the literature and consider if the police can be professionalized.

Talcott Parsons says that "the number of a profession stands between two major aspects of our social structure." An example he gives of two such major aspects of structure is the "public authority and its norms" on the one hand and "the private individual or group whose conduct or intentions may or may not be in accord with the law" on the other (E. 381). It can be argued that the policeman occupies such a position in the social structure. In structural terms, then, the police are like a profession and could be expected to become professionalized in the future.

Functionally, the profession exercises an "independent trusteeship" over "an important part of the major cultural tradition of the society." It follows, for the bourgeois social scientist, that a would-be professional must be educated, both as a training in trusteeship, and in the cultural tradition itself (E, 372). The former moment of training is that of professional practice and its norms (Skolnick's "deeper set of values"); the latter moment, in the systematized knowledge base of the profession. In functional terms it is a matter of how one "professes" as well as that which one professes. It can be argued that the policeman engages in the "practical application of the cultural tradition to a variety of situations where it is useful to citizens in general. Functionally, then, the police could be expected to become professionalized in the future.

Recall that Parsons holds that the professions "may sociologically be regarded as what we call 'mechanisms of social control'" (E, 382). Hence the domain of action of the profession and of the occupation of the police are compatible. Under these assumptions, the structural functional argument for the potentiality of higher education and the professionalization of the police is complete.

Contradictions of the Bourgeois Theory

But these are problems with this understanding of professions, problems which demand a radical reconsideration of the nature of professions. Let us note some of these problems.

First, there are problems in structural terms. The Parsonsian assumption that every profession mediates between major aspects of social structure means that the form of professional relationships is polyadic. There is one aspect of the social structure (call it "A"), there is the professional role ("P") and there is the other aspect of structure ("B"). To posit, as Parsons does, the relationship R(A, P, B) is tantamount to denying that, for instance, the medical role model differs from the legal role model (cf. E, 382, 385). While the model for lawyers is usually that of a quadratic (polyadic) relation, the model for physicians is dyadic.(7) The premiss of Parson's confusion appears to be one of taking values such as "justice" and "health" as social structure.(8)

The implications of Parson's confusion are extensive. For instance, coalition formation is characteristic of an n-person game, which is the social manifestation of a polyadic adversary relationship, and the lawyer-client relationship (say in plea bargaining) degenerates into the alienation of Tönnies Gesellschaft.(9) When we turn to dyads, however, the doctor-patient relationship degenerates into the paternalism of Tönnies Gemeinschaft.(10) We shall return to this point again when we treat of functions.

Rather than having a unique structural characterization of the professions as mediating (polyadic), we find that one of several qualitatively different models of the professions must be specified. This has important pedogogical as well as theoretical ramifications. As in social work education, the occupational role of policeman is ostensibly that of the medical model; in practice, however, the form is a variant of the adversary model, a characteristic leading progressively to contradictions in the occupation itself,(11)

to frustration of the worker himself,(12) and to unfulfilled expectations of the general public.

When we turn from the structural to the functional characterization of the professions, we find equally serious problems. Since Parsons acknowledges the "quite fundamental line of distinction" of Tönnies' Gemeinschaft and Gesellschaft (E, 14) it is somewhat surprising that he would gloss over the functional differences among the professions. In failing to appreciate the pertinence of this polarity, we would expect Parsons to seek functional commonalities among the professions; indeed, he finds their common genesis in the medieval "religious matrix."(13) On the same premiss, we would expect Parsons to err on this point. It is clear that there is no such common ground of the professions: witness the English common law.(14)

The implications again are extensive. Parsons sought throughout his career to assert that the development of the professions is a dominant societal trend of the XX Century, overshadowing (especially) the concentration of capital and the development of capitalism.(15) He argued that the professions as a stratum cut across both capitalism and socialism as "systems", fulfilling crucial functions in both (E, 370-371). This functional necessity, conjoined with the supposition that "class conflict is endemic in our modern industrial type of society" of which "capitalist and socialist industrialisms tend to be seen as variants" (E, 333), implies that mechanisms of social control necessarily include the police and would be enhanced by professionalization. These consequents increase the differentiation of State and society, a contradiction that itself contributes to class conflict under capitalism.

Let us briefly consider some evidence on the state of affairs under socialism. On the one hand, crime has declined in Cuba since the fall of Batista's regime at the hands of the Revolution in 1958.(16) On the other, as Lenin declares

> every citizen must be put in such conditions that he can participate in the discussion of state laws, in the choice of his representatives and in the implementation of state laws (CW 27:212 cf. also 27:273, 28:247-248, 29:131).

These conditions have been initiated in Cuba since 1963. Apparently successfully, peoples' courts have relieved the demand for professionals in the administration of justice.(17) So much for the functional necessity of a professionalized police.

Finally, we turn to the domain of action of the professions and find another general problem. Parsons' characterization of this domain has varied considerably(18), resulting in some confusion among his epigones.(19) If the professions act in the domain of "social control" then how do we justify the inclusion of architects, librarians, artists, or natural scientists as professionals? Even though the Bureau of the Census lists them as such? What is the domain of action?

Carr-Saunders and Wilson maintain that the professions "stand at the center,"(20) but fail to indicate the center of what? Greenwood conceives of occupations including professions as "distributing themselves along a continuum,"(21) but a continuum of what manifold? Again, what is the domain of action?

As we saw in our criticism of Parsons and the "religious matrix" as the historical ground of the professions, it is not possible to trace the professions to a common source and thereby specify their domain of action. Without some clarity on this point, we may overlook contradictions in the attempts to professionalize the police.

The Professions as Reproductive Labor

Talcott Parsons says that there is "a clear cut and definite difference on the institutional level" between the domains of action of the market place and the professions, and that this difference "has very important functional bases" (E, 46). If we consider this difference we may uncover the domain of action we seek. Importantly, the market differs from the profession for Parsons in the locus of control over the activity of the respective domain of action. As Parsons observes, "the profession is...given an independent position" in the exercise of labor (E, 374). This contrasts starkly with the conditions of the proletariat (CW 4:311-313). During the emergence of capitalist production, the bourgeoisie uses the State to discipline the burgeoning working class into a proletariat "which by education, tradition, habit, looks upon the conditions of

that mode of production as self-evident laws of Nature." Marx continues that "this is an essential element of the so-called primitive accumulation" or extraction of surplus value (MEW 23:765). Let us summarize these points.

- That domain of action where an economic surplus can be extracted is that of productive activity: specifically, for Marx it is that of the activity of "Mehrproduktion."
- That domain of action where surplus value is not extracted is that of unproductive activity: Marx also called these activities "Reproduktion."(22) This is the domain of action of (among others, as we shall see) the professions.(23)

In the former domain, the control of labor will rest in the hands of the employers(24) so that surplus value is extracted. This is the inequality of exchange under capitalism which is masked by the fetishism of commodities. In the domain of action of the profession, control will not rest in the hands of the employer, since here the employer "is in absolutely the same category as the capitalist where the latter appears only as buyer..." (MEW 26.1,380) which is to say, extracts no surplus value.

While the professions are activities of reproductive rather than productive labor (cf. MEW 26.1,137-138 on physicians and educators; MEW 26.1,145 on doctors, priests, judges, lawyers, etc.), they are not alone in this category. Services in general, for instance appliance repairmen, cobblers, dry cleaners, maids and tailors are occupations of reproductive labor (cf. MEW 26.1,377). Moreover, state offices are occupations of reproductive rather than productive labor (MEW 26.1,54). Thus the policeman engages in reproductive activity.

Notice that the domains of productive and reproductive activity are not derived from the nature of the product of labor nor from the characteristics of the activity itself, but from "the social form, the social relations of production wherein the labor realizes itself" (MEW 26.1,127; also 141-142; 376. cf. also MEW 23, 532). Yet the terms "production" and "reproduction" are suggestive that the former domain of action is substantively that of the objective factor of the increasing capitalization of industry; the latter is substantively that of the subjective factor, of the maintenance or replacement (for our purposes) of the labor force itself (cf. MEW 24,121; 133; 166;214-215; 279-281). In turn we can consider another dimension of the domain of reproductive action.

For reproductive activities, norms other than "the dull compulsion of economic relations" (MEW 23,765) will be preeminent in the exercise of labor. If the domain of reproductive action is largely coincident with the substantive maintenance or replacement of the labor force, then there are two types of reproductive action: that which acts on individuals of the working class, and that which acts on strata of the working class as collectivities (Sartre's "series").

The necessity of controlling the substantive reproduction of the working class devolves on the State in bourgeois society.(25) Needless to say, there is an important difference between controlling reproductive activities and engaging in those activities, even though control may itself be a reproductive activity. The State acts to insure the long term supply of labor, suitably socialized and disciplined (CW 29: 479). This requires control of the institutions which determine the long term supply of labor. The State controls the institutions which reproduce the proletariat. This control can be exercised in two ways: by regulation through licensing boards and by bureaucratization of those institutions.

On the one hand, there are the reproductive services which the members of the working class perceive themselves to need. "If I am healthy and do not need a doctor or am lucky enough not to have to be involved in a lawsuit, then I avoid paying out money for medical or legal services as I do the plague" (MEW 26.1: 380). Health care is the most obvious example. For the entire category of needs, the individual voluntarily seeks the services, differentiating himself in his need from his collectivity. The State has little concern for this reproductive activity; where the public and the practitioner both demand it,

the State provides regulation in the form of licensing boards. The first type of reproductive occupation, then, is simply regulated. This is the ground of the profession, the social relations of small-scale reproduction in the guild. Where there is no such demand for regulation, there is none, and we find as a second type of unregulated reproductive occupation, the "services in general" of the tradesman and artisan that we have mentioned above.

On the other hand, there are those reproductive services which the members of the working class do not perceive themselves to need. As Marx puts it "services may also be forced on me -- the services of officials, etc" (MEW 26.1:380). These services are thus not voluntarily sought by the proletariat, who are instead coerced to use them. We can mention compulsory education as the most obvious example. For this example, the "school aged" stratum of the working class is differentiated from its class as a collectivity.(26) The State has an enormous concern for this type of reproductive activity, and provides for the control of the institutions which engage in this activity by bureaucratization.

Notice that the State need not necessarily engage in the direct control of the collectivities of the working class themselves; indirect means, masked behind "protective" legislation will often suffice (CW 5:82). In the case of compulsory intertemporal intrapersonal transfer payments (called "social insurance") the bureaucracy is part of the State, and the State is perceived as exercising direct control over working class behavior (by civil and criminal sanctions for nonparticipation) as well as control through bureaucratization of the reproductive activities of the agency official. The third type of reproductive occupation, then, is simply bureaucratized. It is this type which presently includes the occupation of the police.

The direct control of working class behavior can, however, be eliminated (or masked) by the legitimation of the reproductive activity through professionalization. In the case of compulsory education, the child welfare agency engaged in the control of truancy is not perceived as part of the State; instead, the legitimacy of the professional social worker is hegemonic. The professional status is regulated, as before, by the State. Of course bureaucratization facilitates control of the reproductive activities of the social worker. This is the final type of reproductive occupation: both professionally regulated and bureaucratized. It appears to be this type in which the proponents of a professional police would like to see the police included in the future.

In the domain of action of reproductive activity there are then four possibilities: the presence or absence of control through bureaucratization and the presence or absence of regulation through professional licensing boards, of those reproductive activities. This is illustrated in the following table, with typical occupations entered in the appropriate cells.

Regulation thru Professional Licensing Boards

Control thru Bureaucratization	Present	Absent
Present	Social Worker and Educator	Clerks and Bureaucratic Officials
Absent	Physicians and Lawyers	Artisans and Tradesmen

In our terms the question is whether a bureaucratized occupation such as the police can, in addition be professionalized, i.e. become less like the bureaucratic official and more like the social worker, or not.

There is a contradiction in the domain of reproductive labor, for the occupational type of the both professionally regulated and bureaucratized (MEW 1:249-250). This is a contradiction in the occupational activity itself, and can be considered in its subjective moment, the contradictory demands placed on the actor or in its objective moment, the contradictory characteristics of the service recipients. For the social worker, for instance, the demands of bureaucratic accountability (manifested in the "supervisory relationship") contradicts the demands of professional autonomy. For the truant, on the other hand, the necessity of voluntarily entering into the "helping relationship" contradicts the necessity of coercion in compulsory education. The resolution of this type of contradiction is effected by the feminization of the profession.

By the reflection into the contradictory occupation of a dominant contradiction of sexist society, the occupational contradiction is the non-principal contradiction.(27) As Platt puts it, the "job of social worker combined elements of an old and partly fictitious role -- stalwart of home life -- with elements of a new role -- emancipated career woman and social servant."(28) More generally, Parsons speaks of occupations "where through some kind of tradition there is an element of particular suitability for feminine participation" (E, 97). The "tradition" is of course the patriarchal tradition. For example, the Bureau of the Census reports that in 1950, 66% of social workers, 89% of librarians, and 98% of nurses were women. Ziegler says that "at the elementary level, teaching is almost exclusively a woman's occupation" and that "secondary school teachers, males not less than females, are playing a feminine role."(29) Parsons concludes his bourgeois pseudohistory by stating that women "find opportunities in various forms of activity which traditionally tie up with woman's relation to children, to sickness, and so on" (E, 97). Here the professional can defer in "her femininity" to the demands of the bureau, and at the same time satisfy the correspondingly moderated demands to be autonomous.

What of the occupational activity of the police? We find a stark dichotomy between the feminized occupations, in their concern for "nurturance", their style of deference, their role of passivity, and the police.

The occupational activity of the police includes the use of violence in specific contexts. Every criminal code specifies circumstances of "priviledged acts" which would otherwise be criminal. Including such activities as self-defense, the codes especially note as a circumstance lawful arrest, which is a defense of the use of violence. Beyond these specific contexts, the use of violence is legitimated for a diffuse context of action of the police.(30) In part this legitimation is grounded in the aura of "danger" surrounding the occupational activity of the police.

In any case, the violence inherent in the occupational activity of the police does not permit of feminization.(31) That this feminization is impossible for the police has been recognized since the beginning, since Engels in 1845 pointed out that "the policeman's truncheon" was the power of the bourgeoisie (MEW 2:443).

Conclusion

While the structural functional theory of the professions would lead one to believe that the police can become professionalized, we have seen that there are substantial problems with that theory. When we turn to the classical conception of society, we find a major analytical distinction of human activities into the categories of productive and reproductive labor. The professions are one type of reproductive activity characterized by regulation by licensing boards. The other major type of reproductive activity, of which the police is an example, is that controlled by bureaucratization. There are professions which also are bureaucratized, such as education, but they are also feminized occupations. The question of the future of the police regarding the possibility of professionalization then amounts to considering the possibility of feminization of the police. The impossibility of such feminization means that the police will not, in the future, become professionalized.

NOTES

1. Samir Rizkalla "Les recherches sur la police: trois approaches" Acta Criminologica Vol. 5 (1972) pp. 185-192, and references there.

2. Gordon Welty "The Necessity, Sufficiency, and Desirability of Experts as Value Forcasters" W. Leinfellner and E. Köhler (eds) Developments in Methodology of Social Science Dordrecht: Reidel (1974) pp. 363-379 discusses some of the major trends.

3. J.M. Moynihan "Training the Police Officer in a Liberal Arts College" Police Chief Vol. 40:11 (November 1973) p. 60; cf. also James Weber "It Can Work for You!" Police Chief Vol 40:10 (Oct. 1973), p. 43 for some of the benefits of higher education for police.

4. A. C. Germann, F. Day and R. Gallati Introduction to Law Enforcement Springfield, Ill: Thomas (1962) pp. 213-214. Philip Stead "The Humanism of Command" Police Chief vol. 41:1 (Jan. 1974) p. 27 has also commented on the necessity of broadly educated police administrators.

5. C f Egon Bittner The Functions of the Police in Modern Society Washington D.C.: National Institutes of Mental Health (1970) pp. 77 ff for a serious discussion of professionalization. Alex Ajay and G. Welty "Why are Cops on Campus?" Ed Centric Vol. 3:6 (1971) pp. 4-7 discuss problems of education.

6. Jerome Skolnick Justice Without Trial New York: Wiley (1966) p. 238, who follows Emile Durkheim Leçons de Sociologie Paris: Presses universitaires de France (1969) p. 67.

7. Thomas Szasz Ideology and Insanity Garden City: Doubleday (1970) pp. 236-238 makes much of this difference.

8. Cf. Dietrich Rueschemeyer "Doctors and Lawyers" Canadian Review of Sociology and Anthropology Vol. 1 (1964) p. 19

9. On n-person games, cf. Morton Davis Game Theory New York: Basic Books (1970), esp. Chapter 6. Parsons (E, 380) acknowledges that coalition formation is characteristic of the legal process. On alienation in the structural sense, cf. Ferdinand Tönnies Community and Society East Lansing: Michigan State University Press (1957) p. 76-78.

10. Cf. Tönnies op.cit. pp. 41-42. The classical distinction of social structure and its degeneration is Aristotle's. Cf. Ethica Nicomachea 1160 a 31 - 1160 b 37, and Politica 1278 b 30 - 1279 b 10.

11. For this consequence in social work, cf. Robert Vinter "The Social Structure of Service" in A.J. Kahn (ed.) Issues in American Social Work New York" Columbia University Press (1959).

12. Cf. Arthur Niederhoffer Behind the Shield Garden City: Doubleday Anchor (1969), p. 104 ff.

13. Talcott Parsons "Professions" in D.L. Sills (ed) International Encyclopedia of the Social Sciences New York: Macmillan (1968) Vol. 12, esp. p.537, p. 541.

14. Max Weber Law in Economy and Society Cambridge: Harvard University Press (1954), p. 198.

15. Cf. Parsons' 1939 article in E, 35 and his 1968 Encyclopedia contribution cited above (note 13).

16. Fidel Castro "Communism Cannot be Built in One Country in the Midst of an Underdeveloped World" in M. Kenner and J. Petras (eds) Fidel Castro Speaks New York: Grove Press (1969) p. 206.

17. Claude Regin "Cuban Offenders Face Real Peers" Washington Post (Feb. 17, 1974). Engels recognized the necessity of certain functions, especially lawyers, for the bourgeois State, as early as 1890. (MEW 37:491).

18. Contrast Parsons' "Remarks on Education and the Professions" Ethics Vol. 47 (1937), p. 365 with E, 35-36.

19. Cf. Ernest Greenwood "Attributes of a Profession" Social Work Vol. 2. (1957), p. 50.

20. Alexander Carr-Saunders and P.A. Wilson The Professions Oxford: Clarendon (1933), p. 284.

21. Greenwood op.cit. p. 46. He acknowledges this is not a domain of "skill".

22. Karl Marx Grundrisse der Kritik der Politischen Ökonomie Berlin: Dietz (1953), p. 376. The term "unproductive labor" emphasizes that this a activity is not productive of surplus value; the term "reproductive labor" avoids misleading value connotations.

23. Talcott Parsons and N. Smelser Economy and Society New York: Free Press (1956) p. 155 differentiate the domain of action of the "market" from that labelled "non-productive", especially regarding the professions.

24. Cf. Parsons and Smelser op.cit. pp. 147-148; also Max Weber General Economic History New York: Collier (1961), pp. 227-228.

25. Cf. also Alan Wolfe The Seamy Side of Democracy New York: McKay (1973), esp. p. 6.

26. Cf. Nikolai Dobrolyubov Selected Philosophical Essays Mosco: Foreign Languages Publishing House (1956) pp. 5ff.; Arthur Pearl The Atrocity of Education Toronto: Clark, Irwin and Co. (1972); S. Bowles "Unequal Education and the Reproduction of the Social Division of Labor: in M. Carnoy (ed) Schooling in a Corporate Society New York:McKay (1972).

27. Cf. Wolfe op.cit. p. 87.

28. Anthony Platt The Child Savers Chicago: University of Chicago Press(1969), pp 177.

29. Harmon Ziegler The Political Life of American Teachers Engelwood Cliffs: Prentice-Hall (1967), It should be clear that feminization of an institution is independent of the gender of the "institutional actors".

30. William Westley Violence and the Police Cambridge: MIT Press (1970), pp. 118-138.

31 A recent survey of almost 500 state, county and municipal police agencies indicates only a few percent of the police force are women, and a good portion of those women are assigned to juvenile and female prisoner details, or to community relations. Cf. Terry Eisenberg et al Police Personnel Practices in State and Local Governments Washington: The Police Foundation (1973) p. 14.